

MS PETITION
PATENT
4450-0411P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Gary Curtis GEHRKE	Conf.:	7594
Appl. No.:	09/916,364	Group:	2839
Filed:	July 27, 2001	Examiner:	J. Duverne
For:	FIBER OPTIC CABLE MANAGEMENT SYSTEM		

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
 ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 10, 2004

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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1330.00 op

1. Petition fee .

- ☐ Small entity - fee \$665.00 (37 C.F.R. § 1.17(m)).
Applicant claims small entity status. See 37 C.F.R.
§ 1.27.
- ☒ Other than small entity - fee \$1,330.00 (37 C.F.R.
§ 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action
in the form of an Amendment (identify type of reply):
- ☐ has been filed previously on .
- ☒ is enclosed herewith.
- B. The issue fee of \$0.00
- ☐ has been paid previously on .
- ☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or
after June 8, 1995, no terminal disclaimer is
required.
- ☐ A terminal disclaimer (and disclaimer fee (37 C.F.R.
§ 1.20(d)) of \$55.00 for a small entity or \$110.00 for
other than a small entity) disclaiming the required
period of time is enclosed herewith.


4. Statement: The entire delay in filing the required reply
from the due date for the required reply until the filing
of a grantable petition under 37 C.F.R. § 1.137(b) was
unintentional.


- ☐ No fee is required.
- ☒ Check in the amount of \$2,280.00 is enclosed which includes the amount of \$950 for extension fees.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata, #39,491


MRC/CTT/ags

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

- Attachments:
- ☒ Fee Payment
 - ☒ Reply
 - ☐ Terminal Disclaimer Form
 - ☐ Additional sheets containing statements establishing unintentional delay
 - ☒ Other: Amendment Transmittal Form, Change of Attorneys' Address



PATENT
4450-0411P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Gary Curtis GEHRKE Conf.: 7594
Appl. No.: 09/916,364 Group: 2839
Filed: July 27, 2001 Examiner: J. Duverne
For: FIBER OPTIC CABLE MANAGEMENT SYSTEM

LARGE ENTITY TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 10, 2004

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	16	-	20	=	0	\$ 18	\$0.00
INDEPENDENT	5	-	5	=	0	\$ 86	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$290	\$0.00
						TOTAL	\$0.00

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02 FC:1253

950.00 OP


- ☒ Petition for three (3) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$950.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check in the amount of \$2280.00 is enclosed herewith which includes the amount of the Petition for Revival fee (\$1330) which is also being filed concurrently herewith.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Michael R. Cammarata, #39,491


MRC/CTT/ags

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Falls Church, VA 22040-0747
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Attachment(s)

(Rev. 09/30/03)